

EMPLOYMENT OF RELATIVES

1. POLICY STATEMENT

The Conflict of Interest provisions of the *Toronto Public Service By-law* (TPSB) require City Agencies to maintain a policy that governs the employment of relatives and outlines the rules restricting supervisory relationships between relatives and the recruitment and appointment of relatives.

The Conflict of Interest provisions state that “City and Agency employees are expected to conduct themselves with personal integrity, ethics, honesty and diligence in performing their duties.” The *Ralph Thornton Community Centre (RTC)* recognizes that conflict and bias can arise from situations where relatives work together and discourages the appointment of a relative of a current employee where such conflict and bias could result. This policy provides direction so these situations can be avoided.

2. APPLICATION

This policy applies to all *Ralph Thornton Community Centre* employees.

3. DEFINITION

Relative: For the purposes of this policy, a relative is defined as:

- spouse, including common-law or same-sex spouse, and individuals involved in a conjugal relationship;
- parent, including step-parent and legal guardian;
- child, including step-child;
- sibling and children of siblings;
- father/mother-in-law, brother/sister-in-law, son/daughter-in-law; and
- any family members who lives with the employee on a permanent basis.

4. CONDITIONS

a. *Supervisory Relationship*

No relatives are permitted to work together if this places them in a supervisory relationship, either in a subordinate or supervisory role to each other.

A supervisory relationship is an employment relationship where one relative has direct or indirect authority over a relative's employment through decisions, recommendations or judgments related or influence to:

- the approval/denial of increments/performance pay;
- the assignment and approval of overtime;
- the negotiation of salary level;
- the conduct of performance appraisals discipline;
- the assignment or direction of work assignments; or
- the approval of leaves of absence.

A supervisory relationship exists even though there are levels of supervision in between two employees who are relatives.

Employees must declare a conflict to the Executive Director when a family relationship develops that puts them in a supervisory relationship.

If the employee in question is the Executive Director, the declaration of a conflict respecting employment of a relative is made to the Chair of the Board of Management.

b. Recruitment and appointment

A situation may arise through external recruitment or internal promotion/transfer/acting assignments/superior duties where the successful candidate could be a relative of an employee:

- already within the same work unit
- or within a work area where any form of direct or indirect supervision would exist over a relative

Candidates/employees must tell the hiring panel if placement in the position they have applied for would put them in a supervisory relationship with a relative.

If such a situation arises, the hiring manager must inform the Executive Director in order to determine if the appointment of an employee could be perceived as a potential conflict of interest.

If the Executive Director decides the hiring/transfer would result in, or has the potential to result in, a conflict of interest, a candidate will not be hired or be permitted to transfer into work areas in which a relative is currently employed

c. Selection process

An employee must not participate in any part of the selection process where a relative is an applicant. The selection process includes screening applications, interviews and reference checking.

5. IMPLEMENTATION

a. Supervisory Relationship

When employees who are related are aware that they are working in positions that put them in a supervisory relationship with each other they must declare this situation to the *Executive Director* in writing.

When a situation arises where an employee is in a supervisory relationship to a relative, the Executive Director must discuss reassignment options with the employees involved. The Executive Director should consult with their human resources to resolve this problem. Possible solutions include:

- offering one employee a permanent alternate position, if available
- placing one employee on a temporary assignment if available
- transferring one employee to a comparable position in another department i.e. lateral transfer, if available

The preferences of the employees should be taken into account when considering any of these options. If the employee rejects all of the above options, the Executive Director should make the final decision. Although these situations are sometimes difficult to resolve the *Executive Director* should address this issue as soon as possible after it arises, and seek to remedy the situation promptly.

b. *Recruitment and Appointment*

In situations where the conflict, or potential conflict, involves hiring/transfer of a relative and where, in the opinion of the Executive Director the concern has sufficient validity, the relative will not be hired or transferred.

c. *Other Considerations*

Close personal relationships can also cause problems in the selection process and in reporting relationships. Employees who find themselves in this situation should be sensitive to perceptions and guide themselves according to rules set out in the Conflict of Interest provisions.

6. RELATED POLICIES:

- City of Toronto. *Toronto Public Service By-Law – Conflict of Interest*
- RTC *Board of Management Conflict of Interest Policy*, 2015

History:

- New in 2015